

ATTACHMENT

Election/Restrictions

1. The amendment filed on June 15, 2009 canceling all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention because newly submitted **claims 23-42** are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons:

The original claims were directed towards a system and method for providing voice and data services over a wired data network and over a regulated wireless network, the system comprising: a first wireless network including at least one wireless access point wired to the wired data network, wherein the wired data network is operative to provide information of f-eve at least one subscriber to the voice and data services, the at least one wireless access point being operative to provide wireless access to the wired data network over an unregulated wireless connection; and at least one digital cordless handset for communicating with the at least one wireless access point via the unregulated wireless connection in order to access the voice and data services, and facilitating outgoing and incoming calls to the digital cordless handset through the wired data network, based on a verification of a subscriber and service provider identification, wherein the cordless handset comprises the subscriber identification and the associated service provider identification.

The newly amended claims are directed towards a method comprising: receiving a call associated with a telephone number of a subscriber; directing the call to a first mobile device via an unregulated wireless connection, the first mobile device associated with the

Art Unit: 2617

subscriber; directing the call to a second mobile device via a regulated wireless connection, the second mobile device associated with the subscriber; and routing the call to the first mobile device or the second mobile device based on, at least in part, whether the first mobile device or the second mobile device is answered by the subscriber.

In short, the original claims were directed to a system or gateway to transmit and receive data and voice services between wired and unregulated wireless network which would be classified in 370/401. However, the newly amended claims are directed a call to two different mobile devices wherein the first mobile device receives the call via an unregulated wireless connection and the second mobile device receives the call via regulated wireless connection which would be classified in 455/417.

Restriction for examination purposes is required because the newly claimed invention functions in a completely different manner than the original invention and would require a new search that was not previously required.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, **claims 23-42** are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

2. Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD OF ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

Conclusion

3. Any response to this Office Action should be **faxed to (571) 273-8300 or mailed to:**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Hand-delivered responses should be brought to

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

4. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Allahyar Kasraian whose telephone number is (571) 270-1772. The Examiner can normally be reached on Monday-Thursday from 8:00 a.m. to 5:00 p.m.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Rafael Pérez-Gutiérrez can be reached on (571) 272-7915. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For

Art Unit: 2617

more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 571-272-4100.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

*/Allahyar Kasraian/
Examiner, Art Unit 2617*

A.K./ak

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August 20, 2009